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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

Cody Jones v. Uber Technologies, Inc. et al., No. 3:24-cv-05822-CRB

C.L. v. Uber Technologies, Inc., et al; No. 3:25-cv-00007-CRB

C.O. v. Uber Technologies, Inc. et al., No.3:25-cv-02551-CRB

K.B. v. Uber Technologies, Inc., et al; 3:25-cv-02650-CRB

I.C. v. Uber Technologies, Inc., et al; 3:25-cv-06382-CRB

B.P. v. Uber Technologies, Inc., et al; 3:25-cv-06843-CRB

MDL No. 3:23-md-03084-CRB

DECLARATION OF RACHEL B. ABRAMS IN SUPPORT OF OPPOSITION TO DEFENDANTS' MOTION TO DISMISS CASES FOR FAILURE TO COMPLY WITH PTO 31 AND SHOW-CAUSE ORDERS

1
2 I, Rachel B. Abrams, declare:

- 3 1. I am an attorney in the law firm of Peiffer Wolf Carr Kane Conway and Wise, LLP. I am
4 admitted to practice before this Court. I make this declaration based on my own personal
5 knowledge. If called upon to testify, I could and would testify competently to the truth of
6 the matters stated herein:

7 **Cody Jones:**

- 8 2. On December 12, 2023, Plaintiff retained Peiffer Wolf as legal counsel.
9
10 3. Throughout the litigation, Counsel made substantial efforts to communicate with Plaintiff,
11 including ninety (90) total unsuccessful outreach attempts. Plaintiff received numerous
12 emails, text messages, telephone calls, and voice messages requesting that he contact our
13 office. These communications included forty (40) unsuccessful phone calls with no ability
14 to leave voice messages, eight (8) unsuccessful phone calls with voice messages, eighteen
15 (18) unanswered text messages, twenty-three (23) unanswered e-mails, and one (1) letter
16 sent by mail. In these communications, we repeatedly explained the need for his continued
17 participation in the case, the risk that his case may be dismissed, and that we would need
18 to withdraw as counsel if he did not contact our office.
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20 4. Plaintiff contacted or responded to contact attempts by our office on nine (9) occasions
21 during that time period.
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23 5. The last communication between Plaintiff and my office occurred on January 30, 2025.
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25 6. On February 9, 2024, Peiffer Wolf filed a complaint on behalf of Plaintiff in California
26 state court, Judicial Council Coordination Proceedings (“JCCP”) *In Re: Uber Rideshare*
27 *Cases* (No. 5188), alleging sexual assault by an Uber Driver in Kentucky on February 16,
28 2023.
7. Following a dismissal based on *forum non conveniens*, this case was refiled in the MDL

on August 23, 2024. See, *Short Form Complaint and Demand for Jury Trial, Cody Jones v. Uber Technologies, Inc. et al., No. 3:24-cv-05822-CRB, ECF No. 1* (N.D. Cal. Aug. 23, 2024).

8. On November 14, 2025, Peiffer Wolf sent Uber advance notice of our intent to withdraw from Plaintiff's representation.

9. On November 17, 2025, Peiffer Wolf filed a Notice of Motion and Motion to Withdraw as Counsel for Plaintiff pursuant to Local Rule 11-5(a) and California Rules of Professional Conduct 1.16(b)(4) and 1.16(d). See, *ECF No. 4410* (N.D. Cal. Nov. 17, 2025).

10. On November 18, 2025, this Court granted Peiffer Wolf's Motion to Withdraw. See, *ECF No. 4427* (N.D. Cal. Nov. 17, 2025).

11. On November 21, 2025, Defendant filed this Motion to Dismiss Plaintiff's claims. See *ECF No. 4456* (N.D. Cal. Nov. 21, 2025).

12. Because of the ongoing communication issues described above, Peiffer Wolf is unable to guarantee that Plaintiff is aware that our firm has withdrawn from his representation, and it is highly unlikely that Plaintiff is aware of the pending Motion to Dismiss his case.

13. Peiffer Wolf will continue to make reasonable attempts to forward case information and filings to Plaintiff in accordance with the obligations imposed by Local Rule 11-5(b).

C.L.

14. On August 19, 2024, Plaintiff retained Peiffer Wolf as legal counsel.

15. Throughout the litigation, Plaintiff received numerous emails, text messages, telephone calls, and voice messages requesting that she contact our office. These communications included twenty-two (22) unsuccessful phone calls with voice messages, six (6) unsuccessful phone calls with no ability to leave voice messages, fourteen (14)

1 unanswered text messages, eleven (11) unanswered e-mails, and one (1) letter sent by
2 mail. In these communications, we repeatedly explained the need for her continued
3 participation in the case, the risk that her case may be dismissed, and that we would need
4 to withdraw as counsel if she did not contact our office.

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6 16. Plaintiff contacted, or responded to contact attempts by, our office on seven (7) occasions
7 during that time period.

8 17. After communicating with Plaintiff, on January 2, 2025, Peiffer Wolf filed a complaint on
9 behalf of C.L., alleging sexual assault or harassment by an Uber Driver in Louisiana on
10 January 4, 2024. *Short Form Complaint and Demand for Jury Trial, C.L. v. Uber*
11 *Technologies, Inc., et al; No. 3:25-cv-00007-CRB. ECF No. 2044* (N.D. Cal. Jan. 2, 2025).

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13 18. Plaintiff did not respond to any contact attempts between July 17, 2025, through the
14 present.

15 19. On November 14, 2025, Peiffer Wolf sent Uber advance notice of our intent to withdraw
16 from Plaintiff's representation.

17 20. On November 17, 2025, Peiffer Wolf filed a Notice of Motion and Motion to Withdraw
18 as Counsel for Plaintiff pursuant to Local Rule 11-5(a) and California Rules of
19 Professional Conduct 1.16(b)(4) and 1.16(d). *See, ECF No. 4409* (N.D. Cal. Nov. 17,
20 2025).

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22 21. On November 18, 2025, this Court granted Peiffer Wolf's Motion to Withdraw. *See, ECF*
23 *No. 4426* (N.D. Cal. Nov. 18, 2025).

24 22. On November 21, 2025, Defendant filed this Motion to Dismiss Plaintiff's claims. *See,*
25 *ECF No. 4456* (N.D. Cal. Nov. 21, 2025).

26 23. Because of the ongoing communication issues described above, Peiffer Wolf is unable to
27 guarantee that Plaintiff is aware that our firm has withdrawn from his representation, and
28

1 it is highly unlikely that Plaintiff is aware of the pending Motion to Dismiss his case.

2 24. Peiffer Wolf will continue to make reasonable attempts to forward case information and
3 filings to Plaintiff in accordance with the obligations imposed by Local Rule 11-5(b).

4 **C.O.**

5 25. On July 29, 2024, Plaintiff retained Peiffer Wolf as legal counsel.

6 26. After communicating with Plaintiff, on March 14, 2025, Peiffer Wolf filed a complaint on
7 behalf of C.O., alleging sexual assault by an Uber Driver in Washington on April 23, 2023.
8 *Short-Form Complaint and Demand for Jury Trial, C.O. v. Uber Technologies, Inc. et al.,*
9 *No.3:25-cv-02551-CRB, See, ECF No 2563* (N.D. Cal. Mar. 14, 2025).

10 27. On March 19, 2025, my office prepared and submitted Plaintiff's Uber Ride Information
11 Form that reflected the details provided by Plaintiff based on the information provided by
12 Plaintiff. In this form, Plaintiff states the ride receipt is unavailable because she no longer
13 has access to the email account or bank account that were linked to her Uber account. She
14 is also unable to access her Uber account for the same reasons. *See, MDL Centrality Doc.*
15 *ID 72283.*

16 28. On April 10, 2025, Plaintiff served her Plaintiff Fact Sheet ("PFS"), accompanied with a
17 signed Plaintiff Verification. The information within the PFS reflected the details
18 provided by Plaintiff. The PFS was amended on September 5, 2025. *See, MDL Centrality*
19 *Doc. ID 87448, 146703.*

20 29. On September 12, 2025, Uber's counsel served PTO 31 written notice on Peiffer Wolf,
21 asserting a deficiency in Plaintiff's ride receipt or ride information form. *See, MDL*
22 *Centrality Doc. ID 148635.*

23 30. Between September 12, 2025 and the present, my office made the following efforts to
24 obtain Plaintiff's continued participation and to secure additional information in response
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1 to PTO 31: Four (4) phone calls during which voicemail messages were successfully left;
2 Five (5) emails explaining the need for her participation and the risk of dismissal; One (1)
3 letter sent by U.S. mail containing the same information. Plaintiff responded on two (2)
4 occasions during this period.

5
6 31. Plaintiff informed our office that she no longer possesses the email address or bank
7 account previously associated with her Uber account and has been unable to regain access
8 to her account through the Uber app or website. To the best of our knowledge, these issues
9 prevented Plaintiff from accessing past ride receipts, including the oldest and most recent
10 receipts.

11
12 32. Plaintiff also informed our office that during the course of representation, she permanently
13 relocated from Washington to Georgia. To the best of our knowledge, this relocation
14 impacted our ability to maintain consistent communication with Plaintiff.

15 33. On November 14, 2025, Counsel sent Plaintiff a letter via U.S. certified mail advising that
16 if she did not contact us by November 18, 2025, we would have no choice but to withdraw
17 as counsel due to her limited communication and the urgent need for client participation.

18 34. On November 25, 2025, Counsel filed a Motion to Withdraw as Counsel for I.C. which is
19 pending before this Court. *See, ECF No. 4484.*

20
21 35. Regardless of the pending Motion to Dismiss, Counsel continues to exhaust avenues of
22 outreach to advise Plaintiff of this Motion to Dismiss.

23 **I.C.**

24 36. On December 4, 2024, Plaintiff retained Peiffer Wolf as legal counsel.

25 37. Throughout this litigation, Plaintiff received numerous emails, text messages, telephone
26 calls, and voice messages requesting that she contact our office. These communications
27 included twenty (20) unsuccessful phone calls with voice messages, seven (7) unanswered
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1 text messages, and eleven (11) unanswered e-mails.

2 38. During the litigation, our office and staff was in the process of collecting further
3 information from Plaintiff.

4 39. Plaintiff contacted, or responded to contact attempts by, our office on nine (9) occasions
5 during that time period.

6 40. After communicating with Plaintiff, on July 30, 2025, Peiffer Wolf filed a complaint on
7 behalf of I.C., alleging sexual assault by an Uber Driver in Nevada on August 1, 2023.
8 *Short Form Complaint and Demand for Jury Trial, I.C. v. Uber Technologies, Inc., et al;*
9 *3:25-cv-06382-CRB, ECF No. 3626* (N.D. Cal. July 30, 2025).

10 41. Peiffer Wolf submitted Plaintiff's Uber Ride Information Form and PFS. *See, MDL*
11 *Centrality Doc. ID 135667, 144008.*

12 42. On September 12, 2025, Uber's counsel informed our firm of an alleged deficiency in
13 Plaintiff's ride receipt or ride information form. *See, MDL Centrality Doc. ID 148682.*

14 43. Between September 12, 2025 through the present, these communications to Plaintiff
15 included one (1) unsuccessful phone calls with ability to leave voice message, three (3) e-
16 mails, one (1) text message, and one (1) letter sent by mail. In these communications, we
17 repeatedly explained the need for her continued participation in the case, the risk that her
18 case may be dismissed, and that we would need to withdraw as counsel if she did not
19 contact our office.

20 44. Between September 12, 2025 through the present, Plaintiff only responded once to any
21 contact attempts.

22 45. Plaintiff informed our office that she has been unable to regain access to her account
23 through the Uber app or website. To the best of our knowledge, these issues prevented
24 Plaintiff from accessing past ride receipts, including the oldest and most recent receipts.
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1 46. On November 14, 2025, Counsel sent Plaintiff a letter by U.S. certified mail explaining
2 that if she did not contact our firm by November 18, 2025, we would have no choice but
3 to withdraw as counsel.

4 47. On November 25, 2025, Counsel filed a Motion to Withdraw as Counsel for I.C. which is
5 pending before this Court. *See, ECF No. 4488.*

6 48. Regardless of the pending Motion to Dismiss, Counsel continues to exhaust avenues of
7 outreach to advise Plaintiff of this Motion to Dismiss.

8
9 **K.B.**

10 49. On December 3, 2024, Plaintiff retained Peiffer Wolf as legal counsel.

11 50. Throughout this litigation, Plaintiff received numerous emails, text messages, telephone
12 calls, and voice messages requesting that she contact our office. These communications
13 included fifty-two (52) unsuccessful phone calls where voice messages could not be left,
14 seven (7) unsuccessful phone calls with voice messages, twenty-one (21) unanswered text
15 messages, and twenty-seven (27) unanswered e-mails.

16 51. During this litigation, our office and staff was in the process of collecting intake
17 information from Plaintiff about her claim.

18 52. Plaintiff only contacted, or responded to contact attempts by, our office on three (3)
19 occasions during that time period.

20 53. After communicating with Plaintiff, on March 19, 2025, Peiffer Wolf filed a complaint
21 on behalf of K.B., alleging sexual assault by an Uber Driver in Nevada on March 28, 2023.
22 *Short-Form Complaint and Demand for Jury Trial, K.B. v. Uber Technologies, Inc., et al;*
23 *3:25-cv-02650-CRB, ECF No. 2577 (N.D. Cal. Mar. 19, 2025).*

24 54. Peiffer Wolf submitted Plaintiff's Uber Ride Information Form and PFS. *See MDL*
25 *Centrality Doc. ID 72302, 87829.*
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1 55. On June 2, 2025, Uber's counsel informed our firm of alleged deficiencies in Plaintiff's
2 discovery submissions. *See, MDL Centrality Doc. ID 100876*

3 56. Between June 2, 2025 and to this day, these communications to Plaintiff included six (6)
4 unsuccessful phone calls with voice messages, one (1) Facebook messenger message, two
5 (2) text messages, two (2) unanswered e-mails, and two (2) mailed letters. In these
6 communications, we repeatedly explained the need for her continued participation in the
7 case, the risk that her case may be dismissed, and that we would need to withdraw as
8 counsel if she did not contact our office.

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10 57. Between June 2, 2025 and to this day, Plaintiff only responded twice to any contact
11 attempts. Since June 4, 2025, Plaintiff completely ceased communication with our firm.

12 58. In September 2025, Peiffer Wolf was advised of K.B.'s incarceration. To the best of our
13 knowledge, K.B.'s incarceration has impacted our ability to maintain consistent
14 communication with Plaintiff.

15
16 59. On September 12, 2025, Uber's counsel informed our firm of an alleged deficiency in
17 Plaintiff's ride information form. *See, MDL Centrality Doc. ID 148504*

18 60. On September 25, 2025, we sent Plaintiff a letter by U.S. certified mail explaining that if
19 she did not contact our firm by September 30, 2025, we would choose to withdraw as
20 counsel.

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22 61. On October 9, 2025, Peiffer Wolf filed a Motion to Withdraw as Counsel for Plaintiff
23 K.B. pursuant to Local Rule 11-5(a) and California Rules of Professional Conduct
24 1.16(b)(4) and 1.16(d) *See, ECF No. 4104* (N.D. Cal. Oct. 9, 2025).

25 62. On October 10, 2025, this Court granted Peiffer Wolf's Motion to Withdraw. *Order*
26 *Granting Motion to Withdraw as Counsel for Plaintiff K.B. See, ECF No. 8* (N.D. Cal.
27 Oct. 10, 2025).
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63. On October 17, 2025, this Court denied Peiffer Wolf's Motion to Withdraw. *Order Regarding Peiffer Wolf's Motion to Withdraw as Counsel of Record, See ECF No. 4168* (N.D. Cal. Oct. 17, 2025).

64. Regardless of the pending Motion to Dismiss, Counsel continues to exhaust avenues of outreach to advise Plaintiff of this Motion to Dismiss.

B.P.

65. On September 26, 2024, Plaintiff K.B. retained Peiffer Wolf as legal counsel.

66. After communicating with Plaintiff, on August 13, 2025, Peiffer Wolf filed a complaint on behalf of Plaintiff, alleging sexual assault by an Uber Driver in Florida on September 21, 2023. *Short-Form Complaint and Demand for Jury Trial, B.P. v. Uber Technologies, Inc., et al; 3:25-cv-06843-CRB, ECF No. 3704* (N.D. Cal. Aug. 13, 2025).

67. On August 13, 2025, Peiffer Wolf submitted Plaintiff's Uber Ride Information Form with the information provided by Plaintiff. *See MDL Centrality Doc. ID 139478*.

68. Peiffer Wolf submitted the original PFS on September 9, 2025, and then submitted an amended PFS on October 21, 2025, with a new PFS Verification signed by Plaintiff. *See, MDL Centrality Doc. ID 147971, 158510, 158511, 163951*.

69. Throughout the course of litigation, Plaintiff has maintained consistent communication with counsel, with the most recent communication occurring on December 3, 2025.

70. On September 12, 2025, Uber's counsel informed our firm of an alleged deficiency in Plaintiff's ride information form. *See, MDL Centrality Doc. ID 148546*.

71. In October 2025, Counsel was advised that Plaintiff has been dealing with a family emergency. Although Plaintiff was not able to offer more details, Counsel believes this has impacted our ability to maintain consistent communication with Plaintiff and produce all required discovery documents.

1 72. Counsel continues to exhaust avenues of outreach to advise Plaintiff of this Motion to
2 Dismiss and her continued discovery obligations.

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4 Executed this 5th day of December, 2025 in San Francisco, California.

5 /s/ Rachel B. Abrams
6 Rachel B. Abrams

7 *Counsel for Plaintiff*
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